

AMENDED IN SENATE AUGUST 31, 2012

AMENDED IN SENATE AUGUST 23, 2012

AMENDED IN ASSEMBLY APRIL 26, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1255

Introduced by Assembly ~~Member~~ *Members V. Manuel Pérez and Achadjian*

February 18, 2011

An act to amend Section 25619 of the Public Resources Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1255, as amended, V. Manuel Pérez. Energy: renewable energy resources.

Existing law, the Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires the Energy Commission to provide \$7,000,000 in grants to qualified counties, as defined, for the development or revision of rules and policies, including, but not limited to, general plan elements, zoning ordinances, and a natural community conservation plan as a plan participant, to facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources. For a county in the Desert Renewable Energy Conservation Plan planning area, existing law prohibits the

commission from awarding a grant to such a county if it is not a “plan participant,” as defined, in the Desert Renewable Energy Conservation Plan.

This bill would authorize the commission to award a grant to such a county if the county enters into a specified memorandum of understanding with the commission in which the county agrees to participate in the development of the natural community conservation plan. *The bill would additionally include the County of San Luis Obispo as a qualified county to receive the above grants.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25619 of the Public Resources Code is
2 amended to read:
3 25619. (a) For purposes of this section, “qualified counties”
4 means the Counties of Fresno, Imperial, Inyo, Kern, Kings, Los
5 Angeles, Madera, Merced, Riverside, San Bernardino, San Diego,
6 San Joaquin, *San Luis Obispo*, Stanislaus, and Tulare.
7 (b) The commission shall provide up to seven million dollars
8 (\$7,000,000) in grants to qualified counties for the development
9 or revision of rules and policies, including, but not limited to,
10 general plan elements, zoning ordinances, and a natural community
11 conservation plan as a plan participant, that facilitate the
12 development of eligible renewable energy resources, and their
13 associated electric transmission facilities, and the processing of
14 permits for eligible renewable energy resources. The commission
15 may allocate not more than 1 percent of appropriated funds to
16 provide training to county planning staff to facilitate the siting and
17 permitting of eligible renewable energy resources. A general plan
18 element or zoning ordinance that is adopted or revised pursuant
19 to this section shall be completed within two years of receipt of
20 the grant and shall be consistent with the conservation strategies
21 of any natural community conservation plan if one has been
22 approved, or is under development, pursuant to the Natural
23 Community Conservation Planning Act (Chapter 10 (commencing
24 with Section 2800) of Division 3 of the Fish and Game Code). For

1 counties within the Desert Renewable Energy Conservation Plan
2 planning area, the commission may award a grant to a county only
3 if the county meets one of the following conditions:

4 (1) The county is a “plan participant,” as defined by paragraph
5 (1) of subdivision (j) of Section 2805 of the Fish and Game Code,
6 in the Desert Renewable Energy Conservation Plan.

7 (2) The county enters into a memorandum of understanding
8 with the commission in which the county agrees to participate in
9 the development of a natural community conservation plan for the
10 purpose of ensuring that the natural community conservation plan
11 can achieve the goals set forth in the planning agreement entered
12 into pursuant to Section 2810 of the Fish and Game Code, that is
13 dated May 2010, for the preparation of a natural community
14 conservation plan, in a manner that is consistent with the applicable
15 policies of the county.

16 (c) In its initial round of grant funding, the commission shall
17 establish a preference for a grant to a qualified county in an amount
18 that is adequate to develop a renewable energy element in its
19 general plan that will facilitate the development and siting of
20 eligible renewable energy resources that utilize multiple renewable
21 energy technologies. The commission shall also establish a
22 preference for a grant for those counties that have experience in
23 geothermal energy development and have adopted a geothermal
24 element, as defined in Section 25133, to its general plan.

25 (d) The commission shall only implement this section upon
26 receiving a specific appropriation for the purposes of this section
27 by the Legislature from the Renewable Resources Trust Fund or
28 other funds from the Energy Resources Program Account.

29 SEC. 2. This act is an urgency statute necessary for the
30 immediate preservation of the public peace, health, or safety within
31 the meaning of Article IV of the Constitution and shall go into
32 immediate effect. The facts constituting the necessity are:

33 In order to ensure, as soon as possible, that local government
34 site renewable energy projects are located in areas that are least
35 damaging to the environment, it is necessary that this act take
36 effect immediately.

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2	CORRECTIONS:	
3	Heading—Page 1.	
4		